

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 1-8 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For the following reason, the Examiner's rejection is traversed.

The "and/or" language has been removed from claims 1 and 8, thereby removing the Examiner's grounds for rejection. It is submitted that claims 1 and 8 now more clearly define the subject matter applicant regards as the invention. Claim 4 has also been amended and is believed to have proper antecedent basis for all claim terms. Reconsideration and withdrawal of the rejections under 35 USC 112, is hereby requested.

Claims 1-8 stand rejected under 35 USC 102(a) as being anticipated by US 6,959,894 to Hayashi. For the following reason, the Examiner's rejection is traversed.

Hayashi is based upon an application that was filed December 1, 2003, whereas the present application is a national stage of a PCT application that was filed March 13, 2003. Since the filing date of the PCT application predates the Hayashi filing date, the Hayashi patent is not a reference against the present application.

In light of the foregoing, and there being no further rejections based upon the art, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. SHM-15463.

Respectfully submitted,

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